

REMARKS

Claims 1, 3-8 and 16-23 are pending in the present application. By this amendment, Claim 1 has been amended, Claims 2 and 9-15 have been canceled without prejudice or disclaimer, and Claims 16-23 have been added. Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and the following remarks.

I. FORMAL MATTERS

Objections to the Drawings

The drawings were objected to as allegedly not showing every feature of the invention specified in the claims. Specifically, the Examiner alleges that the features of a "base having at least one aperture" and "a first securing bar" are not shown in the drawings. This objection is respectfully traversed.

In regards to the "base having at least one aperture", it is respectfully submitted that this feature is shown in the drawings. As set forth on page 5 of the specification and Figure 1A, base 4c has one or more apertures 4g contained within the base 4c. Accordingly, it is respectfully submitted that this feature is shown in the drawings.

In regards to the "first securing bar", it is respectfully submitted that this feature is not essential for a proper understanding of the invention and that a detailed illustration of this feature is not necessary. It is respectfully submitted that this feature is described in sufficient detail that one of ordinary skill in the art would understand this feature without a detailed illustration of the feature. As set forth on page 6 of the specification, the base 4c includes the first securing bar, which is specifically set forth as not being shown, around which the strap 2 is looped. The strap 2 is stitched to itself and stitch pattern 8 is shown. The bar is, simply that, a bar and, based upon Figure 1A, the location of the bar would easily be known because, if the bar were missing, the strap would have nothing to loop around. In this embodiment, the looped strap 2 covers the bar, hence the reason it is not shown. However, it is respectfully submitted that this feature does not need to be shown as it is not essential for a proper understanding of the invention and one of ordinary skill in the art could make and or use the claimed invention without a detailed illustration of this bar. Accordingly, Applicant respectfully requests withdrawal of this objection.

II. PRIOR ART REJECTIONS

Claim Rejections Under 35 U.S.C. §102 (b)

Claims 1-2 stand rejected under 35 U.S.C. §102 (b) as being anticipated by U.S. Patent No. 5,181,280 to Zachary, Jr. (hereafter "Zachary, Jr."). This rejection is respectfully traversed.

Claim 1 provides, *inter alia*, a tourniquet system capable of being operated by a single user, comprising: a strap; a clamp for selectively engaging said strap; wherein when said clamp engages said strap, said clamp permits said strap to pass substantially freely in a direction away from said clamp and substantially prevents said strap from passing in a direction towards said clamp; and securing structure attached to said strap for securing said strap; wherein said securing structure further secures said strap when said clamp engages said strap. Newly added Claim 16 provides, *inter alia*, a tourniquet system capable of being operated by a single user, comprising: a strap; a clamp for selectively engaging said strap; wherein when said clamp engages said strap, said clamp permits said strap to pass substantially freely in a direction away from said clamp and substantially prevents said strap from passing in a direction towards said clamp; and securing structure attached to said strap for securing said strap; wherein said securing structure includes a base and said base further comprises a first securing bar, wherein said strap is attached to said first securing bar.

Zachary, Jr. provides a strap retainer used with safety equipment. According to the Examiner, Zachary, Jr. discloses a strap 60 and a clamp 20. According to the Examiner, Zachary, Jr. includes another securing clamp and refers to Figure 1 and element 10 and indicates that element 10 "secures the strap to the goggles."

It is respectfully submitted that Zachary, Jr. fails to teach or suggest Applicant's claimed invention. Element 10 is the claimed invention of Zachary, Jr. Element 10 is not a second securing means for securing the strap when the clamp engages the strap. As set forth by Applicant, the present invention provides a strap and a clamp that uses an engaging structure 3a having a grasping structure 3b. While it may be alleged that element 23 of Zachary, Jr. teaches this aspect of Applicant's claimed invention, there are no other structural features of Zachary Jr. that teach a separate securing means for securing the strap when the clamp engages the strap. As set forth by Applicant, securing structure operates to further tighten the strap to the clamp. When the securing structure is engaged, a traveling arm that is connected to the clamp operates to further secure the clamp, thereby further securing the strap. Zachary, Jr. does not teach or

suggest any structure that is capable of further securing the strap to the clamp. Rather, Zachary, Jr. simple teaches a retainer that enables a strap to be connected to some type of safety equipment. This retainer 10 includes only one means for securing the strap to the clamp, the clamp itself. Applicant has amended Claim 1 to further clarify this distinction. Accordingly, Applicant respectfully submits that Zachary, Jr. fails to teach or suggest Applicant's claimed invention.

In regards to newly added Claim 16, it is respectfully submitted that Zachary, Jr. fails to teach or suggest a securing structure that is connected to the strap using a first securing bar. As such, Applicant respectfully submits that Zachary, Jr. fails to teach or suggest Applicant's claimed invention.

For at least the reasons given above, Applicant respectfully submits that Claim 1 is allowable over the prior art of record. Furthermore, as Claim 2 recites additional claim features and depends from Claim 1, this claim is also allowable over the prior art of record.

Claims 1-2 stand rejected under 35 U.S.C. §102 (b) as being anticipated by U.S. Patent No. 4,670,946 to Olivieri (hereafter "Olivieri"). This rejection is respectfully traversed.

Applicant's description of Claim 1 and Claim 16 may be relied upon as above.

Olivieri provides a tightening mechanism for securing a boot. According to the Examiner, Olivieri discloses a strap 1 having a clamp assembly 13 and a securing structure (elements 2, 3 and 4).

It is respectfully submitted that Olivieri fails to teach or suggest Applicant's claimed invention. As previously discussed, the securing structure does not further tighten the strap, but rather tightens the strap to the clamp. When the securing structure is engaged, a traveling arm that is connected to the clamp operates to further secure the clamp, thereby further securing the strap. This is different than the securing structure (elements 2, 3 and 4) that further tightens the strap, not further securing the strap. When lever 2 of Olivieri is engaged, the lever advances the strap 1, to which the lever 2 is connected, to tighten the strap. However, the lever 2 does not further tighten the strap to the clamp as the clamp simply permits the strap to move before reengaging the strap once the strap has been tightened. The strap includes grooves into which the engaging structure 19 of the clamp rest, thereby securing the strap from moving in a reverse direction. Advancing the lever 2 does not alter this mechanism or further secure this mechanism.

Additionally, as further tightening the strap could cause the tourniquet to be too tight, it would not be beneficial to have a securing structure that further tightens the strap. As such, Applicant respectfully submits that Olivieri fails to teach or suggest Applicant's claimed invention.

In regards to newly added Claim 16, it is respectfully submitted that Olivieri fails to teach or suggest a securing structure that is connected to the strap using a first securing bar. Rather, the strap in Olivieri is molded directly to the base and cannot rotate about a bar, reducing the flexibility of the device in Olivieri. Accordingly, Applicant respectfully submits that Olivieri fails to teach or suggest Applicant's claimed invention.

For at least the reasons given above, Applicant respectfully submits that Claim 1 is allowable over the prior art of record. Furthermore, as Claim 2 recites additional claim features and depends from Claim 1, this claim is also allowable over the prior art of record.

Claim Rejections Under 35 U.S.C. §103 (a)

Claims 3 and 5 stand rejected under 35 U.S.C. §103 (a) as being unpatentable over Olivieri. This rejection is respectfully traversed.

Applicant's description of Claim 1 may be relied upon as above.

Applicant's description of Olivieri may be relied upon as above.

It is respectfully submitted that Olivieri fails to teach or suggest Applicant's claimed invention. As previously discussed, Olivieri fails to teach or suggest a strap attached to a securing structure through the use of a securing bar. Olivieri also fails to teach or suggest a securing structure that, when engaged, operates to further secure the strap to the clamp. Accordingly, Applicant respectfully submits that Olivieri fails to teach or suggest Applicant's claimed invention.

For at least the reasons given above, Applicant respectfully submits that Claim 1 is allowable over the prior art of record. Furthermore, as Claims 3 and 5 recite additional claim features and depend from Claim 1, these claims are also allowable over the prior art of record.

Claim 4 stands rejected under 35 U.S.C. §103 (a) as being unpatentable over Olivieri in view of U.S. Patent No. 6,311,372 to Wang (hereafter "Wang"). This rejection is respectfully traversed.

Applicant's description of Claim 1 may be relied upon as above.

Applicant's description of Olivieri may be relied upon as above.

Wang provides a buckle. According to the Examiner, Wang discloses the use of a lock with a buckle system using a lever to prevent unintentional loosening of the buckle.

It is respectfully submitted that the combination of Olivieri and Wang fails to teach or suggest Applicant's claimed invention. As previously discussed, Olivieri fails to teach or suggest a securing structure that, when engaged, operates to further secure the strap to the clamp. Wang fails to remedy the deficiencies of Olivieri. As in Olivieri, Wang uses a lever that further tightens a strap when the lever is engaged. The use of a locking mechanism 25 does not teach or suggest a securing structure that further secures a strap to a clamp. As such, Applicant respectfully submits that the combination of Olivieri and Wang fails to teach or suggest Applicant's claimed invention.

For at least the reasons given above, Applicant respectfully submits that Claim 1 is allowable over the prior art of record. Furthermore, as Claim 4 recites additional claim features and depends from Claim 1, this claim is also allowable over the prior art of record.

Claims 1 and 8 stand rejected under 35 U.S.C. §103 (a) as being unpatentable over U.S. Patent No. 5,451,234 to Wassermann (hereafter "Wassermann") in view of Olivieri. This rejection is respectfully traversed.

Applicant's description of Claim 1 may be relied upon as above.

Wassermann provides a tourniquet system. According to the Examiner, Wassermann discloses a tourniquet system having a flexible strap 2 made from a nylon material and a fastening means. The fastening means does not include a clamp or securing structure.

Applicant's description of Olivieri may be relied upon as above.

It is respectfully submitted that the combination of Wassermann and Olivieri fails to teach or suggest Applicant's claimed invention. The tourniquet system of Wasserman uses a frictional fastening means comprising a fastener. The fastener does not include any clamps, levers or the like to secure the strap and, as such, fails to teach or suggest a strap attached to a securing structure through the use of a securing bar or a securing structure that, when engaged, operates to further secure the strap to the clamp. As previously discussed, Olivieri fails to

remedy these deficiencies. Accordingly, Applicant respectfully submits that the combination of Wassermann and Olivieri fails to teach or suggest Applicant's claimed invention.

For at least the reasons given above, Applicant respectfully submits that Claim 1 is allowable over the prior art of record. Furthermore, as Claim 8 recites additional claim features and depends from Claim 1, this claim is also allowable over the prior art of record.

III. CONCLUSION

For at least the reasons given above, Applicant submits that Claims 1, 3-8 and 16-23 define patentable subject matter. Accordingly, Applicant respectfully requests allowance of these claims.

The foregoing is submitted as a full and complete Response to the Office Action mailed February 9, 2004, and early and favorable consideration of the claims is requested.

Should the Examiner believe that anything further is necessary in order to place the application in better condition for allowance, the Examiner is respectfully requested to contact Applicant's representative at the telephone number listed below.

No additional fees are believed due; however, the Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, to Deposit Account No. 50-0951.

Respectfully submitted,

Date: 4/30/04



Theodore M. Green, Registration No. 41,801
AKERMAN SENTERFITT
Post Office Box 3188
West Palm Beach, FL 33402-3188
Telephone: (561) 653-5000